



**AMENDED EMERGENCY ORDINANCE OF THE
TOWN OF NEW SHOREHAM**

April 15, 2020

WHEREAS, on January 30, 2020, the World Health Organization designated the coronavirus, COVID-19, outbreak as a Public Health Emergency of International Concern;

WHEREAS, on January 31, 2020, the Rhode Island Department of Health established an Incident Command System response to COVID-19;

WHEREAS, on January 31, 2020, the United States Health and Human Services Secretary declared a public health emergency for the entire United States to aid the nation's healthcare community in responding to COVID-19;

WHEREAS, Governor Gina M. Raimondo has issued the following Executive Orders:

Executive Order 20-02 declaring a disaster emergency due to the outbreak of COVID-19 dated March 9, 2020;

Executive Order 20-03 containing a supplemental emergency declaration dated March 13, 2020;

Executive Order 20-04 containing a second supplemental emergency declaration regarding restaurants, bars, entertainment venues and public gatherings dated March 16, 2020;

Executive Order 20-05 containing a third supplemental emergency declaration regarding public meetings and public records requests dated March 16, 2020;

Executive Order 20-06 pertaining to expanding access to telemedicine services dated March 18, 2020;

Executive Order 20-07 pertaining to weapon and firearm background checks dated March 20, 2020;

Executive Order 20-08 pertaining to restaurants, bars and establishments that offer food dated March 20, 2020; and

Such additional executive orders as the governor may issue.

WHEREAS, on March 11, 2020, the World Health Organization declared the outbreak of COVID-19 to be a Pandemic;

WHEREAS, on March 11, 2020, the President of the United States addressed the nation about the threat posed by the outbreak of COVID-19 and announced a restriction on international air travel from certain European nations for a period of thirty days starting on March 12, 2020;

WHEREAS, on March 11, 2020, the United States State Department issued an extraordinary global health advisory;

WHEREAS, as of March 15, 2020, the outbreak of COVID-19 had spread to every continent except Antarctica and infected more than 152,000 people, causing approximately 6,000 deaths;

WHEREAS, the number of countries that are experiencing community transmission of COVID-19 continues to grow;

WHEREAS, community transmission in the United States has occurred in many states and is an immediate public health threat to the elderly and those with underlying health conditions;

WHEREAS, cases of COVID-19 have been documented in the State of Rhode Island;

WHEREAS, the State of Rhode Island and various public health officials have reached out to the Town of New Shoreham to take steps to contain the spread of COVID-19;

WHEREAS, the Town of New Shoreham is required to enforce the Governor's Executive Orders to limit the spread of COVID-19;

The Town Council of the Town of New Shoreham does hereby adopt the following emergency ordinance for purposes of protecting the public health, safety and/or general welfare of the Town which are imminently imperiled by COVID-19:

1. A state of emergency is hereby immediately declared in the Town of New Shoreham due to the risks to the public health and safety posed by COVID-19. The original emergency ordinance was effective as of 12:01 p.m. on Wednesday, March 18, 2020; the first amendments to the emergency ordinance were effective as of 5:00 p.m. on Tuesday, March 24, 2020; and, except as otherwise herein stated, the second amendments to this ordinance are effective as of 5:00 p.m. on Wednesday, April 15, 2020. This entire ordinance, as amended, shall continue in full force and effect until midnight on May 8, 2020. The effective period may be amended as circumstances warrant.
2. All Town offices and facilities except for public safety offices shall close and all non-essential Town employees shall be put on paid administrative leave until further notice; provided, however, that the administrative leave status of Town employees may be amended by the Town Manager and First Warden. The determination as to which employees are essential shall be at the discretion of the Town Manager and the Town Manager may call back any employee in the event of an urgent matter requiring immediate attention.
3. All restaurants, bars and other establishments that offer food and/or beverages to the public shall not permit on-premises consumption of food or beverages, and may offer only take-out or delivery service as to food, wine and beer to accompany take-out food orders as specified below, and non-alcoholic beverages in accordance with the social distancing protocols of the Rhode Island Department of Health. A Class B licensee is permitted to sell up to 2 bottles of wine and 144 ounces of beer in original, factory sealed containers, with take-out food orders, provided such sales shall be made in accordance with Section 1.4.10 of the Department Business Regulations, 230-RICR-30-10-1.
4. All gatherings of people (other than family members) in excess of five (5) or more on Block Island are prohibited. Gatherings shall include, without limitation, community, civic, public, leisure or faith-based events, sporting events, concerts, conventions, fundraisers, parades, fairs, festivals and any other similar activity on the island which brings together more than five (5) people.
5. All non-essential Town meetings are cancelled or postponed, including, without limitation, Town Council meetings, Town financial meetings and all meetings of any Town department, agency, quasi-municipal agency, board and commission.
6. All Town departments, agencies, quasi-municipal agencies, boards and commissions are instructed to fully cooperate with the Rhode Island Emergency Management Agency and with the New Shoreham Emergency Management Agency in all matters regarding this ordinance.
7. All of the following licenses and permits are suspended during the effective period of this emergency ordinance: entertainment licenses; liquor licenses except for Class A licenses and except for the modifications to the Class B licenses as set forth in paragraph 3 of this emergency ordinance; special event permits; outdoor entertainment licenses; taxi and motor vehicles for hire licenses; and

bicycle, motorized bicycle, motorized tricycle and motor scooter licenses. In addition, no vehicles of any kind may be rented on Block Island.

8. Travel to Block Island is discouraged for any non-resident. Full-time residents are encouraged to restrict travel off island for essential purposes only such as medical care, care of a family member, and obtaining food and other provisions.

9. Anyone arriving on Block Island must immediately Self-Quarantine (as that term is hereinafter defined) for two weeks, and thereafter must Shelter-in-Place (as that term is hereinafter defined) and follow CDC and Rhode Island Department of Health guidelines. Nothing contained in this paragraph shall be construed so as to prevent a person who is under the Self-Quarantine or Shelter-in-Place requirements of this paragraph from leaving the island; provided, however, that a person under the Self-Quarantine requirements must proceed directly to the ferry or airport without making any stops.

All residents, full-time or seasonal, must Shelter-in-Place and follow CDC and Rhode Island Department of Health guidelines.

Only transient workers may commute to Block Island who are engaged in Essential Activities; provided, however, that all such transient workers are restricted as follows:

- workers must inform the Town Manager's designee as posted on the Town's website (in addition to such other posting places as the Town Manager may determine appropriate) prior to coming to the island;
- workers may not go to any location on the island other than to the job site where they will engage in an Essential Activity and back to the ferry and/or airport to leave the island;
- workers must wear face masks and have hand washing and/or hand sanitizer readily available to them;
- workers must maintain a daily log of personal contacts; and
- workers must maintain social distancing and the CDC and Rhode Island Department of Health Guidelines must be followed.

All persons on Block Island are encouraged to conduct Essential Activities by themselves, in order that minimal contact/exposure may be achieved.

The term "Essential Activities" includes activities relating to the following: public safety; public works; medical care; emergency and/or scheduled veterinary care; public utilities such as water, sewer and electric; sale and purchase of gasoline, sale and purchase of propane and heating oil; delivery of medicines; transfer station; sale and purchase of liquor as provided in this emergency ordinance; sale and purchase of hardware and lumber; post office; package delivery; sale and purchase of groceries; sale and purchase of take-out food from establishments that were open at any time during the period

January 2, 2020 through April 11, 2020; banking; education as it directly relates to development of curriculum and its distribution; farming and agriculture; commercial fishing, lobstering and shellfishing; emergency appliance repair, emergency telecommunications network repair; emergency exterminator services; emergency heating repair; emergency heating installation; and emergency vehicle repairs.

The term "Self-Quarantine" means that you must proceed from the ferry or airport directly to your residence without making any stops, remain at your residence except for medical care or emergencies, have food and other necessities delivered, and monitor yourself for symptoms such as fever, cough and shortness of breath.

The term "Shelter-in-Place" means remaining at your residence except for activities relating to Essential Activities; however, people may leave their residences to conduct the following activities regardless of whether they are Essential Activities:

a. Outside Activities: People may engage in outside activities such as walks and exercise, but social distancing must be maintained and the CDC and Rhode Island Department of Health guidelines must be followed.

b. Work Activities: This subparagraph b shall not go into effect until Monday April 20, 2020 at 9:00 a.m. People may engage in the following work activities: construction; plumbing; electrical work; site development; landscaping; mowing; painting; foundation installation, septic removal or installation, building repair; veterinary services, appliance repair; vehicle repair; telecommunications network repair; house watching; exterminator services; remodeling; and heating and cooling repair and installation; provided, however, that these work activities may only be conducted under the following conditions:

- prior to working on a job site, a worker must inform the Town Manager's designee as posted on the Town's website (in addition to such other posting places as the Town Manager may determine appropriate);
- no more than two (2) people may be present at any job site regardless of the type of work being performed;
- workers must wear face masks and have hand washing and/or hand sanitizer readily available on site;
- workers may not travel to and from the job site together;
- workers may not share hand tools;
- workers must maintain a daily log of personal contacts; and
- workers must maintain social distancing and the CDC and Rhode Island Department of Health Guidelines must be followed.

Nothing contained in this subparagraph b shall be construed to override the Self-Quarantine requirements of this Paragraph 9.

10. Any person who may have come in close contact with a person who has COVID-19 must immediately self-quarantine for fourteen days before coming to Block Island.

11. Any person who is under self-quarantine direction who wants to go to the Block Island Medical Center must first contact the medical center for instructions as to how to proceed. This directive does not apply to persons requiring emergency medical care or assistance.

12. All persons on Block Island shall fully comply with all federal, state and local emergency directives and orders as shall be from time to time amended.

13. All short-term lodging owners and operators, including their agents and employees, shall cease taking new reservations pertaining to occupancy dates which fall within the effective period of this emergency ordinance. For purposes of this emergency ordinance, "short-term lodging" shall include but is not limited to, lodging of thirty (30) days or fewer in hotels, inns, motels, online rental platforms including but not limited to air bnb's and vrbo's, lodges, bed and breakfasts, houses, condominiums, time-shares, cottages and retreats. All short-term lodging reservations, contracts, and/or agreements pertaining to reservations involving occupancy which is occurring or which is to occur during the effective period of this emergency ordinance are cancelled; provided, however, that this cancellation provision shall not apply to housing for persons engaged in Essential Activities.

14. A violation of any provision of this emergency ordinance is punishable by a fine not exceeding five hundred dollars (\$500) or imprisonment not exceeding thirty (30) days. Each day any violation of this emergency ordinance shall continue shall constitute a separate offense.

15. The New Shoreham Police Department is instructed to enforce the provisions of this emergency ordinance.

Town Clerk:



Fiona Fitzpatrick

First Warden:



Kenneth C. Lacoste